

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

CARNELL CONSTRUCTION CORP.,)

Plaintiff/Counterclaim Defendant,)

v.)

DANVILLE REDEVELOPMENT &
HOUSING AUTHORITY,)

Defendant/Counterclaim Plaintiff)

v.)

BLAINE SQUARE, LLC,)

Defendant/Counterclaim Plaintiff)

v.)

INTERNATIONAL FIDELITY
INSURANCE COMPANY,)

Counterclaim Defendant.)

Case No. 4:10CV00007

ORDER

By: Jackson L. Kiser
Senior United States District Judge

Before me is Defendant/Counterclaim Plaintiff Danville Redevelopment & Housing Authority's and Defendant/Counterclaim Plaintiff Blaine Square, LLC's Motion for Judgment as a Matter of Law or, in the Alternative, Motion for a New Trial (ECF No. 208) pursuant to Federal Rules of Civil Procedure 50(b) and 59(a)(1)(A). The parties filed supporting and opposing briefs to the motion and I heard oral argument on April 12, 2011. The matter is now ripe for decision. For the reasons stated in the accompanying Memorandum Opinion, I will **DENY** Defendants' Motion for Judgment as a Matter of Law and **GRANT** Defendants' Motion for a New Trial. All other pending motions are **OVERRULED AS MOOT**.

The Clerk is directed to send a copy of the Order and the accompanying Memorandum Opinion to all counsel of record.

Entered this 2nd day of May, 2011.

s/Jackson L. Kiser
Senior United States District Judge